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A-65635-1/RMS/DHR

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Cofa
2-4-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#23
3-6-02
R2

In re application of:

NOLAN et al.

SERIAL NO.: 09/135,238

FILING DATE: 17 August 1998

FOR: TOSO

Examiner: R. Shukla, Ph.D.

Art Unit: 1632

NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND
INTERFERENCES

AND

PETITION FOR EXTENSION OF TIME

CERTIFICATE OF TRANSMISSION VIA U.S. MAIL

I hereby certify that this correspondence, including listed enclosures,
is being deposited with the United States Postal Service as First Class
Mail in an envelope addressed to: Assistant Commissioner for Patents,
BOX AF, Washington D.C. 20231

Dated: 4 February 2002

Signed: R. Shukla
R. ShuklaAssistant Commissioner for Patents
BOX AF
Washington, DC 20231

Sir:

■ Applicant hereby appeals to the Board of Patent Appeals and interferences from the decision dated
2 August 2002 of the Examiner rejecting claims 35-48 and withdrawing claims 41-44.

■ Applicant hereby petitions for an Extension of Time and encloses the fee:

3 Months (Small Entity) \$460.00

Extension of Time Total: \$460.00

■ The fee for filing this Notice of Appeal (37 CFR §1.17(e)) is enclosed:

Notice of Appeal Fee (Small Entity) \$160.00

Notice of Appeal Total: \$160.00

■ Other:

Other Fees Total: \$ 0

02/26/2002 JADD01 00000038 09135238

01 FC:217 460.00 OP
02 FC:219 160.00 OP

TOTAL FEES \$620.00

SERIAL NO.: 09/135,238
FILING DATE: 17 August 1998

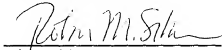
■ Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.

■ A check for the amount of **TOTAL FEES DUE** indicated above (\$620.00).

■ The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 06-1300 (A-65635-1/RMS/DHR).

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP



Robin M. Silva
Reg. No. 38,304

Dated: 2/4/02

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